

**City of Culver City, California
Agenda Item Report**

Meeting Date: 3/1/2010		Item Number: <u>C-1</u>	
REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of the Fourth Implementation Agreement to the Disposition and Development Agreement for the Baldwin Site (12803-23 West Washington Boulevard.)			
Contact Person/Dept.: John Fisanotti		Phone Number: (310) 253-5767	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: E-mail Meetings and Agendas – Redevelopment Agency (2/24/2010)			
Department Approval: Sol Blumenfeld (02/12/10)		Agency General Counsel Approval: Murray O. Kane (02/16/10)	
Chief Financial Officer Approval: Mark Scott (by N. Kimball) (02/23/10)		Executive Director Approval: Mark Scott (02/24/10)	
<u>RECOMMENDATION:</u> Staff recommends that the Redevelopment Agency Board (the “Board”) approve a Fourth Implementation Agreement to the Disposition and Development Agreement (the “DDA”) for the Baldwin Site (12803-23 West Washington Boulevard). <u>BACKGROUND/DISCUSSION:</u> On February 4, 2008, the Board approved the DDA with Axis Mundi RE II, LLC (the “Developer”) for the sale and development of the Baldwin Site (the “Site”). The Developer and the Agency subsequently opened escrow, and the Developer received its entitlements from the City for the Site on August 22, 2008. Since the fall of 2008, the Agency and the Developer have entered into three implementation agreements to extend the schedule of performance in the DDA. According to the schedule now in effect, the DDA will expire on March 10, 2010. The development as entitled by the City and contemplated under the DDA is a 37,150 square foot structure, featuring innovative, sustainable design, 21 public parking spaces, and integrated public art. Approximately 6,000 square feet of retail space on the ground floor, and approximately 31,000 square feet of office space on the second and third floors are part of the entitled development. On February 1, 2010, the Board gave negotiation instructions to staff regarding potential changes to the DDA pertaining to the sale of the Site, in an effort to expedite the development of the Site.			

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Staff is in the process of acting on the negotiation instructions received on February 1, 2010, and is working diligently with the Developer to identify and agree upon the necessary changes to the DDA in order to move this project forward. Staff expects to present to the City Council and Board for their approval, an Amended DDA and related documents (i.e. City Council and Board Resolutions, and a new Section 33433 Report) within the next few months. Before the City Council and Board can consider and act upon these documents, a noticed, joint public hearing of the City Council and Board will be required.

To allow sufficient time for these negotiations to conclude, the Fourth Implementation Agreement would extend the expiration of the DDA from March 10, 2010 to June 1, 2010.

FISCAL ANALYSIS:

There is no financial impact to approving the Fourth Implementation Agreement. The only change accomplished by the Fourth Implementation Agreement is an extension of time.

MOTION:

That the Redevelopment Agency Board:

1. Approve a Fourth Implementation Agreement between the Culver City Redevelopment Agency and Axis Mundi RE II, LLC to amend the schedule of performance in the Disposition and Development Agreement between the parties by extending the escrow period to June 1, 2010; and,
2. Authorize the Agency General Counsel to review/prepare the necessary documents; and,
3. Authorize the Executive Director to execute such documents on behalf of the Agency.